



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): JAMES R. MUJWID et al.

Appln. No.: 10/821,298

Filing Date: April 9, 2004

Title: VARIABLE-AXIS  
SURGICAL DRIVER

Examiner:

Group Art Unit: 3732

Docket No. 75028-307907

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450I CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE  
TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE (FAX  
NO. (703-)746-4060, ON AUGUST 20, 2004.  
Janice Grooms**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION UNDER 37 C.F.R. § 1.53(d)**

In response to the Notice to File Missing Parts of Application mailed June 22, 2004, Applicant has enclosed herewith the following documents to complete the above-identified application filed April 9, 2004:

1. Copy of Notice to File Missing Parts of Application Filing Date Granted;
2. Two signed Power of Attorney and correspondence address indication forms;
3. Credit Card Authorization Form in the amount of \$1,292.00 to cover the Patent Application Filing Fee and Surcharge Fee.

If the amounts submitted herewith are incorrect for the entry of these papers, the Commissioner is authorized to credit any overpayment or charge any deficit to our Deposit Account No. 06-0029 and is requested to notify us of the same.

Respectfully Submitted,

JAMES R. MUJWID et al.

By: Tong Wu, #43,361  
FAEGRE & BENSON LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-3901  
612/766-6804

Dated: August 20, 2004

M2:20649461.01

**FAEGRE & BENSON LLP**

2200 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET  
MINNEAPOLIS, MINNESOTA 55402-3901  
TELEPHONE 612-766-7000  
FACSIMILE 612-766-1600

**FACSIMILE TRANSMITTAL SHEET**

Minneapolis Document Service Center (20th Floor)  
Facsimile No. 612/766-1600

THIS TELECOPY IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Date: August 20, 2004

Time: \_\_\_\_\_ .m. (Minneapolis)

Number of pages (including this page):

F&amp;B File No.: 75028- 307907 Rec.: 993

From: Tong Wu

Telephone Number: 612/766-6804

To: Mail Stop Missing Parts  
Commissioner of Patents

Fax No.: 703/746-4060

Inventor(s): JAMES R. MUJWID et al.

Examiner:

Appln. No.: 10/821,298

Group Art Unit: 3732

Filing Date: April 9, 2004

Title: VARIABLE-AXIS  
SURGICAL DRIVER

Docket No. 75028-307907

Attached for filing:

Response to Notice to File Missing Parts (1 pg);  
Notice to File Missing Parts (2 pgs);  
Power of Attorney of inventor Gisel (1 pg);  
Power of Attorney of inventor Mujwid (1 pg);  
Credit Card authorization form in the amount of \$1,292.

M2:20649453.01

RECEIVED  
AUG 23 2004  
OIPE/JCWS

If you do not receive all pages, please call the Fax Center at  
612/766-1650 or Jan Grooms at 612/766-7814.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,298	04/09/2004	James R. Mujwid	6683.92USU1

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

CONFIRMATION NO. 1231  
FORMALITIES LETTER  
\*OC000000013023278\*

Date Mailed: 06/22/2004

08/23/2004 EAREGAY1 00000079 10821298  
**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1201	86.00 OP
04 FC:1202	306.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees: problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$392 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1292 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/23/2004 EAREGAY1 00000079 10821298  
• Total additional claim fee(s) for this application is \$392

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1201	86.00 OP
04 FC:1202	306.00 OP

- \$86 for 1 independent claims over 3.
- \$306 for 17 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE